

**ATTACHMENT A TO ANNEX 6**

STATEMENT OF UNDERSTANDING  
BETWEEN  
THE STATE OF SOUTH CAROLINA  
AND  
THE AMERICAN RED CROSS

I. PURPOSE

The purpose of this statement of understanding is to provide for cooperation and coordination between the State of South Carolina, its agencies and the American National Red Cross (hereafter known as the American Red Cross), through National Headquarters and/or chapters, in carrying out their assigned responsibilities for planning, preparedness, and response in the event of natural or man-made disasters.

II. CONCEPT OF OPERATIONS

Each party to this Statement of Understanding is a separate and independent organization. As such, each organization retains its own identity in providing service and each organization is responsible for establishing its own policies and financing its own activities.

III. DEFINITION OF DISASTER

A disaster is an occurrence such as hurricane, tornado, storm, flood, high water, wind-driven water, tidal wave, earthquake, drought, blizzard, pestilence, famine, fire, explosion, volcanic eruption, building collapse, transportation accident, or other situation that causes human suffering or creates human needs that the victims cannot alleviate without assistance.

IV. AUTHORITY

State of South Carolina

The South Carolina Emergency Preparedness Division, Office of the Adjutant General, is authorized by SECTION IV, S1., The Constitution of South Carolina, Title 9, Sections 25-1-420 through 25-1-460, Code of Laws of South Carolina, 1976, to carry out the Governor's emergency powers and responsibilities to prevent, minimize and repair injury and damage resulting from a disaster of any origin.

The American Red Cross

In providing disaster relief, the American Red Cross has both a legal and a moral mandate that it has neither the authority nor the right to surrender. The Red Cross

has both the power and the duty to act in disaster, and its prompt action is clearly expected and supported by the public.

The Red Cross authority to perform disaster services was formalized when the organization was chartered by the Congress of the United States in 1905. Among other provisions, this charter charged the Red Cross "to continue and carry out a system of national and international relief in time of peace, and to apply that system in mitigating the suffering caused by pestilence, famine, fire, floods, and other great national calamities, and to devise and carry out measures for preventing those calamities." -*U.S. Congress, act of January 5, 1905, as amended, 36 U.S.C. §300102(4)*. Red Cross authority to provide disaster services was reaffirmed in federal law in the 1974 Disaster Relief Act (Public Law 93-288) and in 1988 in the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

## V. NATURE AND SCOPE OF ACTIVITIES

### State of South Carolina

The South Carolina Emergency Operations Plan is developed for use by state government officials to ensure appropriate response to emergencies and serves as the baseline for all emergency operations. The plan outlines policies and general procedures that provide a common basis for joint state, local, and service organization operations during any disaster. State assistance is provided upon request when emergency or disaster needs exceed the capability of county and municipal governments. State assistance is organized by Emergency Support Function, which is a functional rather than organizational approach to emergency management. However, specific state agencies are tasked to provide oversight for each Emergency Support Function. Federal assistance is supplemental to that of state and local governments and is available upon approval of a request by the Governor to the appropriate federal agency or to the President.

### American Red Cross

#### Natural Disasters

The magnitude of a disaster may be such that it simultaneously affects tens of thousands of people in several states or it may bring suffering and anguish to just a few persons in one apartment building or group of houses. Regardless of the extent of the disaster, it is the responsibility of the American Red Cross to help meet the human needs that the disaster has caused. All Red Cross disaster assistance is an outright grant and is based on disaster-caused needs a family cannot meet because of lack of resources. No repayment or reimbursement for any assistance provided is sought or accepted from disaster victims. It is based on the premise that those affected by disaster are ultimately responsible for their own recovery.

Disaster relief assistance will include emergency mass care and emergency assistance for individuals with verified disaster-caused needs that are essential to enable the individual or family to resume their normal living arrangements, rather than remaining in congregate facilities. It is provided to sustain human life, reduce the harsh physical and emotional distress that prevents those affected by disaster from meeting their own basic needs, and promote the recovery of those affected by disaster when such relief assistance is not available from other sources.

The American Red Cross also helps disaster victims needing long-term recovery assistance by advising and counseling them on the availability of resources, so that they can resume living in keeping with acceptable standards of health, safety and human dignity. Such resources include those of their own family, as well as federal, state and local agencies, both public and private. If there are no other resources available, the American Red Cross may provide direct additional assistance to enable the victims to re-establish themselves.

Red Cross assistance to disaster victims is not dependent upon a Presidential or other federal disaster declaration, but is provided regardless of the size of the catastrophe or disaster incident.

In carrying out its responsibilities to provide for mass care in peacetime disasters, including precautionary evacuations and peacetime radiological emergencies/nuclear accidents, the American Red Cross will operate appropriate shelter facilities and arrange for mass feeding and other appropriate support. In doing so, the Red Cross will pay related costs only when such activities are under the administrative control of, or authorized by, the American Red Cross, or when prior written agreements have been made for some other organization to provide emergency services on behalf of the Red Cross.

American Red Cross disaster responsibilities are nationwide. Therefore, when the local chapters in the affected areas are unable to meet the needs of disaster victims, the resources of the total organization are made available.

The ARC provides blood and blood products and handles welfare inquiries from anxious relatives outside the disaster area.

The American Red Cross will conduct an appeal for voluntary contributions of funds at the time of disasters.

#### Aviation Disasters

Red Cross has a special role in major aviation disasters. Under the provisions of the Aviation Disaster Family Assistance Act of 1996 (PL 104-264), airlines, the National Transportation Safety Board (NTSB), and

a “designated independent nonprofit organization” were given specific responsibilities with regard to coordinating the emotional care and support of the families of passengers involved in aviation disasters. The NTSB, as part of its Federal Family Assistance Plan for Aviation Disasters, has designated the American Red Cross as the organization responsible for Family Care and Mental Health, and the American Red Cross has accepted this role.

#### Disasters with Liability Implications

In disasters with company or owner liability implications, the customary emergency services are extended on either a mass care basis or to individuals and families if such help is not or cannot be provided immediately by the owner of the property involved, after such unpredictable catastrophes as commercial transportation accidents, collapse of private dams, fires in hotels, theaters, and night clubs, and on pleasure boats. Individual assistance, including temporary maintenance, transportation, clothing, and other basic needs, shall be provided only after a determination with responsible representatives of the company or owner as to whether they are prepared to meet the continuing needs of persons affected by the disaster.

#### Nuclear Facility or Transportation Accidents

In the event of a nuclear power plant accident or transportation accident involving radioactive materials which necessitates an evacuation, the Red Cross will provide mass care services for the evacuees and emergency workers in facilities designated in advance by the (name of the agency) under arrangements worked out between (name of the agency), the American Red Cross and officials or owners of the facilities.

#### Civil Disorders

Situations involving civil disorder, such as riots, barricade, or hostage incidents are not within the scope of the Red Cross responsibility for disaster relief.

However, when there is suffering resulting from civil disorders, and basic human needs are not being met, the American Red Cross will participate in community action to supplement the efforts of the responsible civil authorities, as determined by Corporate Management.

It is essential that the American Red Cross safeguard the Impartiality and Neutrality principles of the Red Cross movement.

Red Cross services and assistance must be provided in a safe and secure setting. This may require that services be provided only outside the impacted areas during the active period of the civil disorder.

#### War Related Situations

In situations caused by war or the threat of enemy attack, the American Red Cross will use its facilities and personnel to support government in South Carolina at all levels in its mass care and other emergency operations to the extent the American Red Cross considers possible, while carrying out its other essential responsibilities and assignments.

The American Red Cross will support national emergency blood collections and supply efforts.

#### Repatriation of US Citizens and Dependents

During the emergency repatriation of US citizens and dependents evacuated from foreign countries during national emergencies, the American Red Cross will, at ports of entry cooperate with federal, state and voluntary agencies involved with their reception, temporary care, and onward transportation. The Red Cross may provide congregate shelters, mass feeding, and first aid.

#### Terrorism Incidents

Acts of terrorism are beyond the scope of Red Cross disaster response. However, when the results of such acts create human needs that cannot otherwise be met, the Red Cross will respond appropriately. Red Cross units will immediately report such acts to the Disaster Operations Center, and seek direction and guidance about their response.

#### Other Emergency Situations

Situations caused by economic, political and social mal-adjustments, including the usual hazards of industry and agriculture, are not usually considered to be within the American Red Cross responsibility for disaster preparedness and relief. There may be other kinds of emergencies involving large numbers of people; or problems related to energy outages, costs or shortages that create evident human needs or in which public officials request Red Cross assistance.

## VI. COORDINATION AND COOPERATION

In order that the resources of the State of South Carolina and the American Red Cross may be coordinated and used to the fullest advantage in planning, preparedness, and rendering disaster relief, both organizations agree to the following:

The State of South Carolina and the American Red Cross will advocate programs and legislation, which mitigate disaster damage and loss of life when appropriate.

Cooperative arrangements for planning, exchange of information and continuing liaison regarding preparedness and disaster operations will be developed and maintained by the State and the American Red Cross. Local counterparts of the two organizations will be encouraged to make similar arrangements.

Each party to this agreement will include representative of the other in its committees and task forces formed to mitigate, prepare for, respond to and recover from the disasters or other emergencies, which occur in the state of South Carolina.

The State and the American Red Cross will make available to the other training, educational, or other developmental opportunities for their respective personnel.

Each organization will explore joint training and or exercise opportunities.

The State of South Carolina and the American Red Cross may allow the other to utilize each others facilities, if agreed upon in writing, for the purpose of preparedness training, meetings, and response and recovery activities, as available.

The State of South Carolina and the American Red Cross agree to keep each other informed of disaster and emergency situations that they become aware of, the human needs created by the event, and the actions they have taken regarding service delivery to clients. This requires providing 24-hour contact information to each other.

In the discharge of their responsibilities, the State of South Carolina and the American Red Cross recognize the responsibilities of the other in disasters and to the extent possible will coordinate their activities and assist the other in the performance of their duties to ensure effective assistance to those affected by disaster.

Responsibility for coordinating the services of other voluntary agencies or groups during and after a major disaster will be undertaken by the American Red Cross with the consent of such agencies or groups.

The American Red Cross agrees that, in an emergency, at the request of the State, Red Cross liaison personnel will be provided at the State Emergency Operations Center and to other district or regional Emergency Operations Centers, as appropriate.

The State of South Carolina agrees to provide space and other required support for the American Red Cross liaison personnel assigned to the State Emergency Operations Center or district or regional Emergency Operations Centers.

Recognizing the need for advising the public of the work of both organizations, the State of South Carolina and the American Red Cross will make every effort through their public information offices during the time of a disaster to keep the public informed of their cooperative efforts.

The State of South Carolina recognizes that the American Red Cross is dependent primarily upon voluntary public financial support to carry out its programs. The State will be sympathetic with the position of the American Red Cross in conducting special appeals and campaigns for funds during times of disaster, and will help interpret the need for such to its citizens.

#### VII. DISASTER SERVICE VOLUNTEER LEAVE ACT

The Disaster Service Volunteer Leave Act (A361, R401, S283) authorizes state employees who are volunteers of the American Red Cross to take up to 10 days paid leave to respond to disasters.

The State will fully support the provisions of this law and the release of personnel, consistent with the operating needs of its agencies.

The State, upon request of the American Red Cross, will assist the American Red Cross in identifying specific categories of state employees (e.g., bilingual, mental health professionals, logisticians) who might be of assistance to the American Red Cross in fulfilling its disaster responsibilities.

#### VIII. PERIODIC REVIEW

Representatives of the American Red Cross (specify the title of the person(s) responsible for the function if known) and South Carolina will meet annually, on or around the date of this agreement, to evaluate the progress in the implementation of the Statement of Understanding and to revise and develop new plans or goals as appropriate.

#### IX. TERM OF AGREEMENT

This Agreement shall be effective on March 15, 2001 and terminate on March 15, 2006 (5) five years after effective date. Six months prior to termination, the parties shall meet to review the progress and success of the Agreement and determine whether the Agreement shall be extended for an additional five years. In no event shall any extension of this Agreement be for a period exceeding (5) years.

It is understood by both parties that at any time this Agreement may be terminated by written notification from either party to the other.

X. MISCELLANEOUS

This Agreement does not create a partnership nor a joint venture, and neither party has the authority to bind the other.

STATE OF SOUTH CAROLINA

AMERICAN NATIONAL RED CROSS

/s/ James Hodges

James Hodges  
Governor  
State of South Carolina

/s/ John A. Clizbe

John A. Clizbe  
Vice President  
Disaster Services

March 15, 2001

Date

March 7, 2001

Date

/s/ Ronald C. Osborne

Ronald C. Osborne, Interim Director  
Emergency Preparedness Division  
State of South Carolina

/s/ Barry White

Barry White  
Lead Disaster Unit

March 13, 2001

Date

March 12, 2001

Date